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Attorney Docket No.: FUJY 16.847 (100794-09723)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Inventor: NAOKI MATSUOKA, et al.

Confirmation No.: 3089

Serial No.: 09/460,898

Filed: December 14, 1999

Title: SCHEDULING CONTROL SYSTEM AND SWITCH

Examiner: CHRISTIAN A. LAFORGIA

Group Art Unit: 2155

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Technology Center 2100

November 3, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Sir:

Applicant hereby appeals to the Board of Appeal from the final rejection dated June 3, 2003, of non-allowed claims 1-40.

The item(s) checked below are appropriate

1. An extension of time to respond to the final rejection was requested on November 3, 2003 for three (3) month(s).
2. A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
3. Fee - \$330.00.

Enclosed. Please charge any additional fee required for this Notice of Appeal to Deposit Account No. 50-1290. A duplicate copy of this paper is enclosed.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

11/06/2003 BABRAHA1 00000061 501290 09460898

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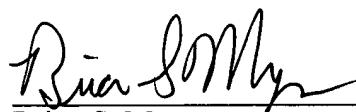
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Filed by Express Mail
Receipt No. EL 980185 800 US
on 11-3-2003
pursuant to 37 C.F.R. 1.10.
By Douglas

- () Not required (Fee paid in prior appeal)
- (xx) Charge to Deposit Account No. 50-1290 (one additional copy of this Notice is enclosed herewith).

Any fee due with this paper, not fully covered by an enclosed check, may be charged to Deposit Account 50-1290.

Respectfully submitted,



Brian S. Myers
Reg. No. 46,947

CUSTOMER NUMBER 026304

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